



MARINE ENVIRONMENT PROTECTION
COMMITTEE
43rd session
Agenda item 1

MEPC 43/1/1
3 February 1999
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ADOPTION OF THE AGENDA

Annotations and provisional timetable

Note by the Secretariat

SUMMARY

<i>Executive summary:</i>	This document provides brief information on the action the Committee will be invited to take in relation to items on the provisional agenda of its 43rd session. The annotations are shown at annex 1 and the provisional timetable at annex 2.
<i>Action to be taken:</i>	As indicated under each agenda item.
<i>Related documents:</i>	MEPC 43/1 and other documents as specified in this document.

Annotations to the provisional agenda

- 1 The provisional agenda (MEPC 43/1) has been prepared in accordance with the list of substantive items for the agenda of MEPC 43 agreed at MEPC 42 (MEPC 42/22, annex 13).
- 2 The annotations, which provide brief information on the action the Committee will be invited to take in relation to items on the provisional agenda, are shown at annex 1.

Provisional timetable

- 3 A provisional timetable for the conduct of MEPC 43, which is prepared by the Secretariat in consultation with the Chairman of the Committee, is shown at annex 2. This timetable is of a tentative nature and may be modified by the Committee as appropriate.

Organization of work for the session

- 4 The Guidelines on the organization and method of work of the Maritime Safety Committee and the Marine Environment Protection Committee and their subsidiary bodies (MSC/Circ. 816 & MEPC/Circ.331) will be strictly adhered to.

Deadline for submitting documents

- 5 Member Governments and international organizations are reminded of the importance of submitting documents well in advance of the deadlines to ensure their timely processing. The deadlines and other requirements are specified in the Notes to the provisional agenda (MEPC 43/1). With regard to information

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papers, if 350 copies are submitted simultaneously with a cover note, these can be posted immediately on a one copy per address basis.

Briefing of other meetings

6 Since the Committee has to consider the outcome of the Council, Maritime Safety Committee, Legal Committee and sub-committees as appropriate, Members attending this session should be fully briefed by their colleagues on the outcome of these other meetings, in accordance with paragraph 47 of the Guidelines.

Working and drafting groups

7 As indicated in the provisional agenda and timetable, the following working or drafting groups will be established:

- WG 1 The OPRC Working Group;
- WG 2 Harmful effects of the use of anti-fouling paints for ships;
- WG 3 Harmful aquatic organisms in ballast water;
- DG 1 Amendments to mandatory instruments; and
- DG 2 Revision of resolution A.720(17) - Guidelines for the Designation of Special Areas and Identification of Particularly Sensitive Sea Areas

No recirculation of documents

8 For reasons of economy, documents which have already been issued for any other IMO meetings will **NOT** be reissued. Members are therefore requested to bring their own copies.

Presentations

9 Member Governments and international organizations which plan to offer technical presentations during MEPC 43 are requested to contact the Secretariat as soon as possible, but not later than 1 May 1999, so that necessary arrangements could be made.

10 A presentation on ballast water management under the co-ordination by the delegation of Australia will be held at the IMO Headquarters prior to MEPC 43 on Sunday, 27 June 1999 starting from 2.00 p.m. Delegations are invited to participate in this event. Further information will be provided by the Secretariat in due course.

ANNEX 1**ANNOTATIONS TO THE PROVISIONAL AGENDA****1 Adoption of the agenda**

1.1 The Committee will be invited to adopt the agenda of its forty-third session, as given in document MEPC 43/1.

2 Implementation of the OPRC Convention and OPRC Conference resolutions (WG 1)

2.1 The Committee will be invited to consider and approve in general the report of the OPRC Working Group which met during MEPC 42 (MEPC 43/2) and to:

- agree that the Manual on Oil Pollution: Section IV - Combating Oil Spills be revised and that a correspondence group with New Zealand as lead country be established; and
- approve the schedule of tasks and target dates for completion of activities for 1999-2000.

2.2 The Committee will recall that, at MEPC 42, it approved in principle the revised draft Protocol on Preparedness, Response and Co-operation to Pollution Incidents by Hazardous and Noxious Substances, 2000. At MEPC 43, the Committee will be invited to consider comments on the revised draft, if any, and to finalize the draft (MEPC 42/22, annex 6) together with the draft Conference resolutions (MEPC 43/2, annex 2). It is expected that, after an initial exchange of views at plenary, the work will be carried out by the OPRC Working Group.

2.3 The Committee is also expected to consider, under this agenda item, a submission by ISO on the revised version of the document "Draft Standards Terminology relating to Oil Spill Response" and another submission by WMO on the issue of support for the implementation of the WMO Marine Pollution Emergency Response Support System (MEPC 42/22, paragraph 7.23).

3 Harmful effects of the use of anti-fouling paints for ships (WG 2)

3.1 The Committee will recall that, at MEPC 42, it had considered and approved the draft Assembly resolution on anti-fouling systems used on ships (MEPC 42/22, annex 5) for adoption by the twenty-first session of the Assembly in November 1999.

3.2 The Committee also agreed to consider, at MEPC 43, the framework and draft text of the global legally binding instrument and encouraged delegations to submit papers to MEPC 43 outlining their views on the basic structure and content of the legal instrument as well as the methodology to be used for considering anti-fouling systems other than those where organotin compounds act as biocides under the instrument (MEPC 42/22, paragraphs 5.16 to 5.19).

3.3 The Committee will also consider the need for a Conference for adoption of the legal instrument addressing harmful anti-fouling systems in order to fulfil the agreement contained in the draft Assembly resolution and, depending on the decision at MEPC 43, the Council may need to be requested to hold the additional Conference in the biennium 2000-2001 (MEPC 42/22, paragraph 19.10).

3.4 The Committee will be invited to consider the submissions of Member Governments and interested observer organizations on the above issues. It is expected that, after a general exchange of views at plenary, the matters will be considered in detail by the Working Group.

4 Harmful aquatic organisms in ballast water (WG 3)

4.1 The Committee will recall that, at MEPC 42, it had considered the draft regulations for ballast water management and confirmed its view that international regulations on ballast water management should be established. While the Committee recognized that several key issues and legal framework options were still subjects for further consideration at MEPC 43, the Committee was confident that a draft legal instrument could be prepared at MEPC 43 and that all the necessary arrangements and preparations could be finalized within a couple of sessions (MEPC 42/22, paragraphs 8.26 and 8.27) in time for the convening of a five-day Diplomatic Conference on Ballast Water Management during the next biennium 2000-2001.

4.2 The Committee, at MEPC 43, will be invited to consider and approve in general the report of the Working Group on Ballast Water (MEPC 43/4) which met during MEPC 42.

4.3 The Committee will also be invited to consider submissions by delegations including draft texts of the legal instruments for the following three options to be prepared by the Secretariat as instructed by the Committee:

- .1 amendments to an existing Annex to MARPOL 73/78;
- .2 a Protocol to add a new Annex to MARPOL 73/78; and
- .3 a new Convention.

4.4 The Committee will also be invited to consider the views of the DE and SLF Sub-Committees on the safety issues related to ballast water treatment provisions as contained in the draft regulations and Ballast Water Management Code, and the comments of the STW Sub-Committee on draft regulation 5 and relevant regulations contained in MEPC 42/WP.1/Rev.1.

5 Consideration and adoption of amendments to mandatory instruments (DG 1)

5.1 The Committee will recall that, at MEPC 42, it considered and approved the proposed amendments to Annexes I and II of MARPOL 73/78, the IBC Code and the BCH Code. The proposed amendments have been circulated by the Secretary-General, in accordance with article 16 (2)(a) of MARPOL 73/78, to all IMO Members and all Parties to the Convention via Circular letter No. 2099 of 27 November 1998.

5.2 With regard to the proposed amendments to the IOPP Certificate under MARPOL Annex I in relation to the amendments to regulation 13G, the Committee will be invited to consider any comments to be made by BLG 4.

5.3 The Committee, at MEPC 43, will be invited to adopt the text of the proposed amendments in accordance with article 16(2)(b), (c) and (d) of the said Convention (MEPC 43/5, MEPC 43/5/1 and MEPC 43/5/2).

6 Identification and protection of Special Areas and Particularly Sensitive Sea Areas (DG 2)

6.1 The Committee will be invited to consider the report of the Drafting Group on Revision of Resolution A.720(17) (MEPC 43/6) which met during MEPC 42, including the procedures for identification of, and measures to be adopted for, PSSAs (MEPC 42/22, paragraphs 10.5 and 10.6).

6.2 The Committee will also be invited to consider submissions by Members including further information on the measures in place to protect the Sabana-Camagüey PSSA from shipping-related pollution and on port reception facilities in the areas to be submitted by Cuba as requested by the Committee (MEPC 42/22, paragraphs 10.10 and 10.13).

6.3 There will be a need to reconvene the Drafting Group on Revision of resolution A.720(17) at MEPC 43 in order to finalize the draft amendments to the Guidelines for the Designation of Special Areas and the Identification of Particularly Sensitive Sea Areas (resolution A.720(17)), taking into account the decisions made at plenary.

6.4 Since NAV 45 will be held after MEPC 43, the comments of the NAV Sub-Committee on the proposed areas to be avoided in relation to the Archipelago of Sabana-Camaguey PSSA will be considered at MEPC 44 (MEPC 42/22, paragraph 10.16).

7 Inadequacy of reception facilities

7.1 The Committee will recall that, at MEPC 42, it approved the revised Format for reporting inadequacy of port reception facilities, which has been issued under cover of MEPC/Circ. 349, and agreed on the revised chapter 11 of the Comprehensive Manual on Port Reception Facilities, which will be printed as soon as possible.

7.2 At MEPC 43, the Committee will be invited to consider submissions on the matter, including a basic document to be submitted by the United Kingdom as lead country of the Correspondence Group on Port Reception Facilities (MEPC 42/22, paragraph 6.16).

8 Reports of sub-committees

8.1 The Committee will be invited to consider the outcome of sub-committees on relevant issues, including those from FP 43, SLF 42, DSC 4, DE 42, FSI 7 and BLG 4.

9 Work of other bodies

9.1 The Committee will be informed, inter alia, of the outcome of FAL 26, C 81, MSC 70, LEG 79, MSC 71 and C 82 on matters of relevance to the work of the Committee.

10 Prevention of air pollution from ships

10.1 The Committee will recall that, at MEPC 42, it continued to consider the follow-up action required by the 1997 MP Conference and the Kyoto Conference, including the development of a number of guidelines which are called for in the new Annex VI and the NO_x Technical Code prior to the entry into force of the new instrument. The drafting of the guidelines has been referred to relevant Sub-Committees.

10.2 The Committee, at MEPC 42, considered and approved two MEPC circulars: One on the revised Interim Guidelines for the Application of the NO_x Technical Code, the other on the Notification to the Organization on Ports and Terminals where Volatile Organic Compounds (VOCs) Emissions are to be regulated. The two circulars have been circulated as MEPC/Circ.344 and MEPC/Circ.345 respectively.

10.3 The Committee, at MEPC 43, will be invited to consider submissions on the matter, including a report on a trial monitoring of the sulphur content of residual fuels to be submitted by the Netherlands

(MEPC 42/22, paragraph 9.28). With regard to the development of a policy document on greenhouse emissions from ships to be forwarded to the UNFCCC (MEPC 42/2, paragraphs 9.18 and 9.19), the Committee may wish to defer it until MEPC 44 since the outcome of the IMO study on CO₂ emissions from ships will not be available until that session.

10.4 The Committee, at MEPC 43, will also be invited to consider and approve the Guidelines for monitoring the sulphur content of residual fuels prepared by the Drafting Group at MEPC 42 (MEPC 42/22, paragraph 9.29 and MEPC 42/WP.11, annex 3).

10.5 It is expected that a proposal to include the North Sea as a SO_x Emission Control Area will be put forward by the North Sea States for consideration at MEPC 43 (MEPC 41/20, paragraph 8.13).

10.6 A progress report on follow-up activities to the outcome of the 1997 MP Conference, including progress made by the DE, FP and FSI Sub-Committees with regard to technical matters relating to the NO_x Technical Code, guidelines on representative samples of fuel, the use of PFCs and the introduction of the Harmonized System of Survey and Certification, will be prepared by the Secretariat for information of the Committee.

11 Interpretation and amendments of MARPOL 73/78 and related Codes

11.1 The Committee will recall that, at MEPC 42, it considered and approved proposed amendments to MARPOL Annexes I and II including amendments to the IOPP Certificate, IBC Code and BCH Code. These amendments will be considered with a view to adoption under agenda item 5.

11.2 The Committee will also recall that, at MEPC 42, it agreed to defer the decision on a number of other proposed amendments until MEPC 43, taking into account that further advice or information is necessary. These proposed amendments include the following:

- the deletion of "tainting" from MARPOL Annex III (the DSC Sub-Committee will provide technical advice);
- making the IMDG Code mandatory under MARPOL (the DSC Sub-Committee will prepare appropriate amendments to MARPOL Annex III);
- revision of MARPOL Annex IV to bring it into force (the Correspondence Group with Singapore as lead country will provide a report and the Secretariat will prepare a summary report on the responses to the questionnaire re-circulated as MEPC/Circ.352 on 2 December 1998); and
- waste categorization in the Garbage Record Book of MARPOL Annex V (the Republic of Korea will submit a revised document).

11.3 Documents submitted by Members concerning the above or other proposed amendments will be considered under this agenda item.

11.4 With regard to the Procedure to avoid discrepancies in requirements under SOLAS and MARPOL, the Committee will be invited to consider a discussion paper to be prepared by the Secretariat (MEPC 42/22, paragraph 11.28).

11.5 The Committee will be invited to note the progress made by the BLG Sub-Committee on the revision of Annexes I and II of MARPOL 73/78.

11.6 With regard to the application of MARPOL requirements to FPSOs and FSUs, the Committee will recall that, at MEPC 41, it instructed the BLG Sub-Committee to identify those regulations in MARPOL which are applicable to FPSOs and FSUs, including any approved interpretations of those regulations. The Committee will be informed of the outcome of the BLG Sub-Committee on the matter if available.

12 Promotion of implementation and enforcement of MARPOL 73/78 and related Codes

12.1 The Committee, at MEPC 43, will continue to consider the revised text of "MARPOL - How to do it", including new paragraphs as guidance notes for enforcement, since the matter of enforcement is of great importance to Member Governments. It is expected that the United States, as lead country of the Correspondence Group, will submit a report to MEPC 43 on the matter (MEPC 42/22, paragraph 13.3).

12.2 With regard to the draft Manual on Shipboard Waste Management in relation to the requirements of the new regulation 9 of MARPOL Annex V, it is expected that Germany will submit an amended version to MEPC 43 for further consideration (MEPC 42/22, paragraph 13.10).

12.3 The Committee will also be invited to consider any other submissions under this item.

13 INF Code related matters

13.1 With regard to the transport of INF materials by ships, the Committee will recall that, at MEPC 42, it decided not to pursue the issue of "Prior notification", and the issue of "Voyage planning" would be further considered when it is finalized by the NAV Sub-Committee.

13.2 With regard to the matter of making the INF Code mandatory through amendments to SOLAS chapter VII, the Committee will be informed of the decision by MSC 71 which is to be held in May 1999.

13.3 In addition, the Committee will be informed of the progress being made with regard to the inter-agency literature review on specific hazards associated with the maritime transport of INF material.

14 Role of the Human Element with regard to pollution prevention

14.1 The Committee may recall that, at MEPC 42, it considered the report of the Joint MSC/MEPC Working Group on the Human Element (HE) and on Formal Safety Assessment (FSA) (MEPC 42/16), including draft amendments to the ISM Code and SOLAS chapter IX. It also concurred with the decision of MSC 69 to combine the two joint MSC/MEPC Working Groups into one Joint Group on HE and FSA, and approved the draft MSC/MEPC circular on Interim Guidelines for the application of HEAP into the IMO rule-making process, which has been issued under cover of MSC/Circ.979/MEPC/Circ.346.

14.2 The Committee, at MEPC 43, will be informed of the outcome of the Joint MSC/MEPC Working Group to be held during MSC 70 and MSC 71, including decisions of the MSC with regard to the report of the Joint Working Group.

15 Matters related to the 1973 Intervention Protocol

15.1 The Committee will recall that, at MEPC 42, the OPRC Working Group considered the matter of updating and reissuing of the list of experts as required by the 1973 Intervention Protocol. It was recognized

that expert advice on marine pollution incidents involving HNS is useful, and the OPRC Working Group, agreed, in principle, with the proposal made by the Secretariat to develop a directory of relevant centres of expertise to give advice in relation to marine pollution incidents involving HNS. The Group also requested the Secretariat to collect relevant information on this issue and prepare a paper for discussion at MEPC 43 (MEPC 42/WP.13).

15.2 The Committee, at MEPC 43, will be invited to consider the paper by the Secretariat and any other submissions.

16 Technical co-operation programme

16.1 The Committee will recall that this item is placed on the agenda of the Committee at alternate sessions. At MEPC 43, the Committee will be provided with information on the status of delivery of IMO technical co-operation projects related to the protection of the environment and on planned activities in this field for the next biennium. Governments and organizations are invited to bring to the attention of the Committee technical co-operation activities which they are undertaking related to the protection of the marine environment.

17 Application of the Committees' Guidelines

17.1 The Committee will recall that, at MEPC 42, because of the shortage of time and amount of work, the Committee decided to postpone consideration of this agenda item to MEPC 43. The Committee, at this session, will be invited to consider the views expressed at MSC 70 on the proposed revision of the Committees' Guidelines.

18 Work programme of the Committee and subsidiary bodies

18.1 The Committee will be invited to consider and agree on the work programme of the Committee and subsidiary bodies and items to be put on the agenda of MEPC 44, including the Committee's long term work plan up to 2006.

18.2 The Committee will also be invited to consider the matter of management of working/drafting groups based on a document to be prepared by the Chairman and the Secretariat.

19 Election of the Chairman and Vice Chairman for 2000

19.1 The Committee will be invited to elect its Chairman and Vice Chairman for 2000.

20 Any other business

20.1 The Committee will be invited to consider matters which may be raised under this agenda item.

21 Consideration of the report of the Committee

21.1 The Committee will be invited to consider and adopt the report of its forty-third session.

ANNEX 2

PROVISIONAL TIMETABLE *

Day and date 1999	Agenda item	Days on which WGs and DGs will meet
Monday, 28 June	Opening of the session 1 Adoption of the Agenda 2 Implementation of the OPRC Convention and the OPRC Conference resolutions (WG 1) 15 Matters related to the 1973 Intervention Protocol 3 Harmful effects of the use of anti-fouling paints for ships (WG 2) 4 Harmful aquatic organisms in ballast water (WG 3) 17 Application of the Committees' Guidelines	WG 1 WG 2 WG 3
Tuesday, 29 June	5 Consideration and adoption of amendments to mandatory instruments (DG 1) 6 Identification and protection of Special Areas and protection of Particularly Sensitive Areas (DG 2) 7 Inadequacy of reception facilities 8 Report of sub-committees 9 Work of other bodies 10 Prevention of air pollution from ships 11 Interpretation and amendments of MARPOL 73/78 and related Codes	WG 1 WG 2 WG 3 DG 1 DG 2
Wednesday, 30 June	12 Promotion of implementation and enforcement of MARPOL 73/78 and related Codes 13 INF Code related matters 14 Role of the human element with regard to pollution prevention 16 Technical co-operation programme	WG 1 WG 2 WG 3 DG 1 DG 2
Thursday, 1 July	18 Work programme of the Committee and subsidiary bodies 19 Election of the Chairman and Vice-Chairman for 2000 20 Any other business Working and Drafting Group reports	WG 1
Friday, 2 July	Working and Drafting Group reports 21 Consideration of the report of the Committee	WG 1

* There will be a presentation on ballast water management to be co-ordinated by Australia on Sunday, 27 June 1999 starting from 2.00 p.m. at the IMO Headquarters. Further information will be circulated in due course.